

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

G.W. Pace and M.T. Smith

ART UNIT:

1614

SERIAL NUMBER:

10/661,458

EXAMINER:

Ernst V. Arnold

FILING DATE:

September 10, 2003

6 October 2006

### MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandira, VA 22313-1450

## RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Subsequent to the Office Action mailed 14 June 2006, Applicants respectfully submit the following Response.

### **REMARKS**

# Status of the Claims

Applicants filed the above-identified application with claims 1 - 23, inclusive. All claims are currently pending in the application.

### The Office Action

An Office Action, mailed 16 June 2006 (the "Action"), imposed a three-way restriction requirement under 35 U.S.C. § 121 upon the claim set filed in the instant application. The Action alleged that the claims of the instant application are directed to three distinct inventions, corresponding to the following sets of claims: I. claims 1 - 19, directed to a method for reducing the risks associated with the administration of opioid analgesics to patients with respiratory